

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, *et al.*, *ex*
rel. JESSICA PENELOW and CHRISTINE
BRANCACCIO,

Plaintiffs,

v.

JANSSEN PRODUCTS, LP,

Defendant.

Civil Action No. 12-7758 (ZNQ) (JBD)

FINAL JUDGMENT

OURAISHI, District Judge

THIS MATTER comes before the Court upon Defendant Janssen Products, LP's ("Janssen") Motion for Judgment as a Matter of Law ("Rule 50 Motion", ECF No. 473), Janssen's Motion for a New Trial ("Rule 59 Motion", ECF No. 474), and Relators Jessica Penelow and Christine Brancaccio's (collectively, the "Relators") Motion for Entry of Judgment (ECF No. 475). Relators opposed Janssen's Rule 50 and Rule 59 Motions (ECF Nos. 481, 480), and Janssen replied (ECF Nos. 485, 486). Janssen opposed Relators' Motion for Entry of Judgment (ECF No. 479), and Relators replied (ECF No. 488.) The Court has carefully considered the parties' submissions and decides the motions without oral argument pursuant to Federal Rule of Civil Procedure 78 and Local Civil Rule 78.1. For the reasons set forth in the accompanying Opinion,

IT IS on this **28th** day of **March**, **ORDERED** as follows:

1. **JUDGMENT** is hereby entered for Relators and against Janssen with respect to Count I, Relators' claim under the federal False Claims Act for off-label promotion as follows:

- a. The United States is hereby awarded \$360,014,208 in trebled damages.
 - b. The United States is hereby awarded \$1,276,592,000 in statutory civil penalties, which consists of a \$8,000 penalty for each of the 159,574 false claims the jury found Janssen caused to be submitted.
 - c. The United States shall be awarded post-judgment interest on all foregoing amounts from today's rate at the prevailing statutory rate, calculated as the weekly average 1-year constant maturity (nominal) Treasury yield, as published by the Federal Reserve System each Monday for the preceding week.
2. This is a **FINAL JUDGMENT** disposing of all claims and all parties. Any relief not expressly granted herein is hereby **DENIED**.
 3. The Clerk of the Court instructed to mark this case **CLOSED**.

s/ Zahid N. Quraishi
ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE